

REMARKS

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This application has been carefully reviewed in light of the final Office Action dated July 19, 2006. Claims 1 to 6, 8, 11 to 15, 17 to 21, 23 to 29, 31, 34 to 38 and 40 to 56 are pending the application, with Claims 16 and 39 having been cancelled and Claim 56 having been newly added. Claims 1, 15, 17 to 20, 23, 24, 38, 40 to 43, 49, 54 and 55 have been amended, and Claims 1, 23, 24, 55 and 56 are in independent form. Reconsideration and further examination are respectfully requested.

In the Office Action, Claims 1, 2, 15 to 18, 20, 21, 23 to 25, 38 to 44, 49 and 54 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,687,878 (Eintracht) in view of U.S. Patent No. 5,821,931 (Berquist); Claims 3 to 6, 8, 11, 13, 26 to 29, 31, 34, 36, 45 to 48, 50 to 53 and 55 were rejected under 35 U.S.C. § 103(a) over Eintracht in view of Berquist and further in view of U.S. Patent No. 6,597,800 (Murray); Claims 12 and 35 were rejected under 35 U.S.C. § 103(a) over Eintracht in view of Berquist and Murray and further in view of U.S. Patent No. 6,021,221 (Takaha); Claims 14 and 37 were rejected under 35 U.S.C. § 103(a) over Eintracht in view of Berquist and Murray and further in view of U.S. Patent No. 6,616,701 (Doyle); and Claims 19 and 42 were rejected under 35 U.S.C. § 103(a) over Eintracht in view of Berquist and further in view of U.S. Patent No. 6,976,229 (Balabanovic). Claims 16 and 39 have been cancelled without prejudice or disclaimer of the subject matter and without conceding the correctness of their rejection. Reconsideration and withdrawal of the rejection of the remaining claims are respectfully requested.

Claims 1, 23, 24 and 55

Independent Claim 1 as amended is directed to a method of annotating an image. The method includes the steps of providing a list of metadata labels, associating each of the metadata labels in the list with at least one of a plurality of icons, and displaying the plurality of icons, each of the icons being labelled with one or more of the metadata labels with which the icon was associated. The method also includes the steps of displaying the image adjacent to the displayed plurality of labelled icons, wherein the image is displayed after each of the metadata labels has been associated with at least one of the plurality of icons, detecting selection of at least one of the displayed plurality of labelled icons, and determining a location of a subject rendered within the image based on a selection of the subject, the one or more metadata labels associated with the selected icon being related to the selected subject. In addition, the method includes the steps of linking the one or more metadata labels associated with the selected icon with a description of the location of the selected subject within the image, and storing the linked one or more metadata labels and the description as an annotation of the image.

Independent Claims 23 and 24 are respectively directed to a computer readable medium and an apparatus which are seen to generally correspond with Claim 1.

Independent Claim 55 as amended is directed to a method of annotating an image. The method includes the steps of providing a list of metadata labels, associating each of the metadata labels in the list with at least one of a plurality of icons, and displaying the plurality of icons, each of the icons being labelled with one or more of the metadata labels with which the icon was associated. The method also includes the steps of displaying the image adjacent to the displayed plurality of labelled icons, wherein the

image is displayed after each of the metadata labels has been associated with at least one of the plurality of icons, detecting selection of at least one of the displayed plurality of labelled icons, and determining a location of a subject rendered within the image based on a selection of the subject, the one or more metadata labels associated with the selected icon being related to the selected subject. In addition, the method includes the steps of forming a bounded region within the image about the location at which the subject is rendered in the image, the bounded region being configured to substantially surround the subject, linking the one or more metadata labels associated with the selected icon with a description of the bounded region, and storing the linked one or more metadata labels and the description as an annotation of the image.

Thus, among its many features, the invention of Claims 1, 23 24 and 55 provides for (i) providing a list of metadata labels, (ii) associating each of the metadata labels in the list with at least one of a plurality of icons, and (iii) displaying an image adjacent to a display of the plurality of labelled icons, wherein the image is displayed after each of the metadata labels has been associated with at least one of the plurality of icons. The applied references of Eintracht, Berquist, Murray, Takaha, Doyle and Balabanovic are not seen to disclose or suggest at least these features.

As understood by Applicants, Eintracht discloses a system in which a user selects an annotation tool and places the cursor in the area of the image where it is desired to place a note. In this way, the box is created. Once the box is created, the user can enter text. See Eintracht, column 15, lines 10 to 13. Once text is entered into the box by the user, the text appears in the form of a "stick" note that appears on top of the image. A note anchor is created at the location the user placed the note. See Eintracht, column 15, lines

13 to 23. The user can select to view annotations overlying the image. See Eintracht, column 14, lines 14 to 22; and Figure 1B. In addition, a Note List window 20 displays a list of all the annotations associated with the image shown in a window 18. See Eintracht, column 4, lines 4 to 17.

The Office Action equated Eintracht's note and entered text with the claimed icon and metadata label, respectively. However, the "stick" notes of Eintracht are not associated with text until after the image is displayed. In Eintracht, the box is created and the text is entered after the image has been displayed. In contrast, in the present invention, the image is displayed after each of the metadata labels has been associated with at least one of the plurality of icons.

Accordingly, Eintracht is not seen to disclose or suggest (i) providing a list of metadata labels, (ii) associating each of the metadata labels in the list with at least one of a plurality of icons, and (iii) displaying an image adjacent to a display of the plurality of labelled icons, wherein the image is displayed after each of the metadata labels has been associated with at least one of the plurality of icons.

Berquist has been reviewed and is not seen to compensate for the deficiencies of Eintracht. As understood by Applicants, Berquist discloses that a note can be dispensed from a note dispenser 418 by positioning a cursor (e.g., by appropriately controlling a mouse) over a note dispensing area 436 of the note dispenser 418. See Berquist, column 9, lines 60 to 67. Text or other material can be entered from a keyboard or other input device 306. See Berquist, column 10, lines 50 to 62.

Although Berquist may be seen to disclose that a note can be dispensed from a note dispenser, and that text can be entered into the note, nothing in Berquist is seen

to disclose or suggest that an image is displayed after each metadata label within a list of metadata labels has been associated with at least one of a plurality of icons.

As such, even if Eintracht and Berquist are combined in the manner proposed in the Office Action (assuming for argument's sake that such combination would be permissible), the result would not teach at least the features of (i) providing a list of metadata labels, (ii) associating each of the metadata labels in the list with at least one of a plurality of icons, and (iii) displaying an image adjacent to a display of the plurality of labelled icons, wherein the image is displayed after each of the metadata labels has been associated with at least one of the plurality of icons.

In addition, Murray, Nakaha, Doyle and Balabanovic have been reviewed and are not seen to compensate for the deficiencies of Eintracht and Berquist.

Allowance of Claims 1, 23 24 and 55 is therefore respectfully requested.

#### Claim 56

Newly-added independent Claim 56 is directed to a method of annotating an image. The method includes the steps of providing a list of metadata labels, displaying a representation of each of the metadata labels in the list, and displaying the image adjacent to the displayed representations of metadata labels, wherein the image is displayed after each of the metadata labels has been associated with at least one of the plurality of icons. The method also includes the steps of detecting selection of at least one of the displayed representations of metadata labels, and determining a location of a subject rendered within the image upon the subject being selected, the metadata label associated with the selected representation being related to the selected subject. In addition, the method includes the steps of linking the metadata label associated with the selected representation with a

description of the location of the selected subject within the image, and storing the linked metadata label and the description as an annotation of the image.

Thus, among its many features, the invention of Claim 56 provides for (i) providing a list of metadata labels, (ii) displaying a representation of each of the metadata labels in the list, and (iii) displaying the image adjacent to the displayed representations of metadata labels, wherein the image is displayed after each of the metadata labels has been associated with at least one of the plurality of icons.

Eintracht, Bernier, Murray, Takaha, Doyle and Balabanovic are not seen to disclose or suggest at least these features, for reasons similar to those discussed above.

Allowance of Claim 56 is therefore respectfully requested.

Accordingly, based on the foregoing amendments and remarks, independent Claims 1, 23, 24, 55 and 56 are believed to be allowable over the applied references.

The other claims in the application are each dependent from the independent claims and are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

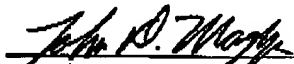
Finally, regarding a formal matter, page 2 of the Office Action alleges that the Information Disclosure Statement dated March 10, 2006 fails to comply with 37 CFR 1.98(a)(1), since the EPO Search Report submitted with the Information Disclosure Statement is not listed. Applicants respectfully disagree, and submit that the EPO Search Report was submitted as a source of the references cited in the March 10, 2006 Information

Disclosure Statement, and therefore the EPO Search Report did not necessarily have to be listed.

No other matters being raised, it is believed that the entire application is fully in condition for allowance and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

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